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REMARKSI. Introduction

In response to the Office Action dated March 23, 2007, claims 3, 10, and 17 have been cancelled, and claims 1, 8, and 15 have been amended. Claims 1, 2, 4-9, 11-16, and 18-21 remain in the application. Re-examination and re-consideration of the application, as amended, is requested.

II. Claim Amendments

Applicants' attorney has made amendments to the claims as indicated above. These amendments were made solely for the purpose of clarifying the language of the claims, and were not required for patentability or to distinguish the claims over the prior art.

III. Office Action Subject Matter Rejection

On page (2), the Office Action rejected claims 15-21 under 35 USC 112 as failing to comply with the written description requirement.

On page (2), the Office Action rejected claims 1-21 under 35 U.S.C. § 101 as being directed to non-statutory subject matter.

Applicants respectfully disagree with and traverse the above rejections. Nonetheless, in the interest of expediting prosecution, Applicants have amended the independent claims to overcome the rejections. With respect to the useful, tangible, and concrete result, Applicants have incorporated the limitations of prior dependent claims that provided for displaying the map picture. Applicants have also amended the claims to clarify the article of manufacture claim language. The claims as amended clearly establishes that the independent claims provide for patentable subject matter. In addition, under MPEP 2106(IV)(B) and the interim guidelines, if the invention as set forth in the written description is statutory, but the claims define subject matter that is not, the deficiency can be corrected by an appropriate amendment of the claims. In such a case, Office personnel should reject the claims drawn to nonstatutory subject matter under 35 U.S.C. 101, but identify the features of the invention that would render the claimed subject matter statutory if recited in the claim. Thus, should the patent office elect to maintain the subject matter rejection, Applicants respectfully request that the Patent Office identify the features that would render the claimed subject matter statutory if recited in the claim.

Applicants further submit that the present claims have clear and sufficient support in the present specification and/or the applications to which the present application claims priority to or incorporates by reference.

In view of the above, Applicants respectfully request withdrawal of the rejections.

IV. Prior Art Rejections

On page (3) of the Office Action, claims 1-21 were rejected under 35 U.S.C. §103(a) as being unpatentable over Wolff, U.S. Patent No. 5,847,708 (Wolff). On page (8) of the Office Action, claims 1-21 were rejected under 35 U.S.C. §103(a) as being unpatentable over Kochevar, The Tecate Data Space Exploration Utility (Kochevar).

Specifically, the independent claims were rejected as follows:

As per claim 1, Wolff teaches the claimed "method of obtaining a map in a computer graphics program" comprising: "receiving a request for a map picture" (Wolff, the object icons arranged within the cognitive document map; column 7, lines 36-40); "obtaining a map file" (Wolff, the structure of cognitive document map consists a map file; column 5, lines 11-16); "determining, from the map file, a uniform resource locator (URL) that identifies a storage location of map data, wherein the map data defines one or more map objects of the map picture" (Wolff, column 6, lines 9-38); and "obtaining the map data from the location, wherein the obtained map data satisfies the request for the map picture" (Wolff, column 6, lines 39-51). It is noted that Wolff does not teach the map picture is "vector based" map picture. However, Wolff's graphical images on the web pages or html.doc (column 5, lines 13-16) contain several different formatted graphical objects including the "vector based" map picture as claimed. Thus, it would have been obvious to a person of ordinary skill in the art at the time the invention was made, to down load the map picture from the Internet WebPages in Wolff's reference containing "vector based" map picture because of Wolff's system ability to access to an unlimited number of graphical web sites where the "vector based" map picture is used.

As per claim 8, Wolff teaches the claimed "apparatus for obtaining a map computer-implemented graphics system" comprising: a computer (Wolff, processor 502, figure 5) and an application executing on the computer (Wolff, column 4, lines 35-41), wherein the application is configured to "receiving a request for a map picture" (Wolff, the object icons arranged within the cognitive document map; column 7, lines 36-40); "obtaining a map file" (Wolff, the structure of cognitive document map consists a map file; column 5, lines 11-16); "determining, from the map file, a uniform resource locator (URL) that identifies a storage location of map data, wherein the map data defines one or more map objects of the map picture" (Wolff, column 6, lines 9-38); and "obtaining the map data from the location, wherein the obtained map data satisfies the request for the map picture" (Wolff, column 6, lines 39-51). It is noted that Wolff does not teach the map picture is "vector based" map picture. However, Wolff's graphical images on the web pages or html.doc (column 5, lines 13-16) contain several different formatted graphical objects including the "vector based" map picture as claimed. Thus, it would have been obvious to a person of ordinary skill in the art at the time the invention was made, to down load the map picture from the Internet WebPages in Wolff's reference containing "vector based" map picture because of Wolff's system ability to access to an unlimited number of graphical web sites where the "vector based" map picture is used.

As per claim 15, Wolff, teaches the claimed "article of manufacture embodying logic that causes a computer-implemented graphics system to obtain a map" wherein the logic comprises: "receiving a request for a map picture" (Wolff, the object icons arranged within the cognitive document map; column 7, lines 36-40); "obtaining a map file" (Wolff, the structure of cognitive document map consists a map file; column 5, lines 11-16); "determining, from the map file, a uniform resource locator (URL) that identifies a storage location of map data, wherein the map data defines one or more map objects of the map picture" (Wolff, column 6, lines 9-38); and "obtaining the map data from the location, wherein the obtained map data satisfies the request for the map picture" (Wolff, column 6, lines 39-51). It is noted that Wolff does not teach the map picture is "vector based" map picture. However, Wolff's graphical images on the web pages or html.doc (column 5, lines 13-16) contain several different formatted graphical objects including the "vector based" map picture as claimed. Thus, it would have been obvious to a person of ordinary skill in the art at the time the invention was made, to download the map picture from the Internet WebPages in Wolff's reference containing "vector based" map picture because of Wolff's system ability to access to an unlimited number of graphical web sites where the "vector based" map picture is used.

Applicant traverses the above rejections for one or more of the following reasons:

- (1) Neither Wolff nor Kochevar teach, disclose or suggest a map picture;
- (2) Neither Wolff nor Kochevar teach, disclose or suggest obtaining a map file in response to a request for a map picture;
- (3) Neither Wolff nor Kochevar teach, disclose or suggest a map file that contains a URL that identifies a storage location of vector based map data;
- (4) Neither Wolff nor Kochevar teach, disclose or suggest a vector based map data;
- (5) Neither Wolff nor Kochevar teach, disclose or suggest a vector based map data that defines map objects of a map picture; and
- (6) Neither Wolff nor Kochevar teach, disclose or suggest retrieving vector based map data from the storage location at the URL and the vector based map data satisfies the request for the map picture.

Independent claims 1, 8, and 15 are generally directed to maps in a computer graphics system. More specifically, a request for a map picture is received. Thereafter, a map file is obtained in response to the request. It is noted that the map file does not yet satisfy the request for the map picture. From the map file, a URL is determined that identifies a storage location of vector based map data. In addition, this vector based map data defines map objects of the map picture. The vector based map data is then obtained from the storage location at the determined URL. This vector based map data satisfies the request for the map picture. Lastly, the map picture is displayed.

The cited references do not teach nor suggest these various elements of Applicants' independent claims.

Wolff merely describes a sorting technique in which a computer system or other data processing device interacts with a user to develop a spatial structure to represent information, such as a set of documents, according to a particular user's viewpoint. As a result of developing the spatial structure, and based on the structure, the system is able to sort other information, including its placement with respect to the other information in the spatial structure. The spatial structure also enables retrieval, searching and filtering information. (See Abstract).

However, rather than discussing or even remotely referencing any of the features of the claimed invention, Wolff fails to teach any elements of the claims. The Office Action asserts that the request for the map picture is satisfied by Wolf's object icons arranged within a cognitive document map. However, contrary to that asserted, neither the object icons nor cognitive document map is even remotely similar to a map picture. As claimed, the map picture consists of map objects that are defined by vector based map data. Wolff col. 7, lines 36-40 provides that the cognitive document map is merely a spatial layout with icons arranged by context corresponding to the user's notion of which documents should be close to each other. Thus, there are icons that represent documents that are spatially arranged in a manner desirable by the user. Such a teaching neither teaches, suggests, or remotely alludes to, explicitly or implicitly, a map picture, map objects, or vector based map data. "Map pictures" is defined by the terms themselves and the present claim limitations – i.e., a map picture is a map with objects and vector based map data - not a cognitive document map as set forth in Wolff.

The Office Action continues and provides that Wolff col. 6, lines 9-38 teaches the claimed URL for the storage location of the map data, the map data defining one or more map objects of the map picture, and a determination of the URL from the map file. However, as can clearly be seen in Wolff col. 6, lines 9-38, such text merely describes URLs as commonly used on the Internet. Such a teaching does not and cannot reach the specific claim limitations as set forth in the present independent claims. In this regard, a mere description of URLs does not teach that such URLs specify a storage location of vector based map data. Nor does such a teaching even remotely suggest that a map file contains a URL that identifies such a storage location.

In addition to the above, Applicants note that Wolff fails to teach that the map picture is a vector based map picture. Instead, the Action asserts that Wolff's graphical images contain different formatted graphical objects including the claimed vector based map picture. Applicants respectfully disagree with and traverse such an assertion. Vector based map data has a particular meaning and significance. In this regard, most common pictures are raster based images and not vector based images. In fact, an electronic search of Wolff for the term "vector" returned no relevant results. Instead, Wolff's only reference to the term "vector" is to a vector space model that is used to compute term similarity (col. 8, lines 66-67). Such a teaching does not teach vector based map data that defines map objects of a map picture. In view of the above, Applicants submit that the Examiner cannot merely ignore claim limitations that are specifically set forth and assert that such limitations would be obvious. Further, the Patent Office has failed to recite any reference that teaches, describes, or suggests a vector based map picture on a graphical website or otherwise. Without relying on such art, the Office has failed to establish a prima facie case of obviousness with respect to the presently claimed invention. Accordingly, the Office Action is in clear error.

In addition to the above, Kochevar fails to cure Wolff's deficiencies.

Moreover, the various elements of Applicants' claimed invention together provide operational advantages over Wolff and Kochevar. In addition, Applicants' invention solves problems not recognized by Wolff and Kochevar.

Thus, Applicants submit that independent claims 1, 8, and 15 are allowable over Wolff and Kochevar. Further, dependent claims 2, 4-7, 9, 11-14, and 16, and 18-21 are submitted to be allowable over Wolff and Kochevar in the same manner, because they are dependent on independent claims 1, 8, and 15, respectively, and thus contain all the limitations of the independent claims. In addition, dependent claims 2, 4-7, 9, 11-14, and 16, and 18-21 recite additional novel elements not shown by Wolff and Kochevar.

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V. Conclusion

In view of the above, it is submitted that this application is now in good order for allowance and such allowance is respectfully solicited. Should the Examiner believe minor matters still remain that can be resolved in a telephone interview, the Examiner is urged to call Applicants' undersigned attorney.

Respectfully submitted,

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